



Anne Lucey

CBS Government Affairs
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Washington, D.C. 20004-2601

January 23, 2017

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, NW
Washington, DC 20554

Re: Notice of Ex Parte Communication
MB Docket No. 13-236
Amendment of Section 73.3555(e), UHF Discount

Dear Ms. Dortch:

Today, John Orlando, EVP of Government Affairs for CBS Corporation, and the undersigned met via telephone with David Grossman of Commissioner Clyburn's office. The purpose was to discuss the above-referenced proceeding.

In the meeting, we asked that the Commission act immediately to reinstate the UHF discount and that it do so without waiting to launch any further proceeding on other ownership issues. Time is of the essence in providing broadcasters the ownership breathing room they so desperately need to compete with other video services. Our industry has been frozen in time for more than three years, dating back to September 2013 when the NPRM in this proceeding was launched and we were effectively foreclosed from applying the UHF discount in calculating our compliance with the ownership rule. Since then, our video competitors have marched on unfettered by ownership limits.

It is significant that the FCC makes many assumptions but fails to offer a shred of evidence that the public interest is in any way adversely affected by retaining the UHF discount, especially given the passage of time since the DTV transition, the point when UHF and VHF stations supposedly became technical equivalents. As Commissioner Pai asks in his dissent to the Commission's elimination of the UHF discount: "Is there any indication that any of the core objectives of the Commission's media ownership policies –competition, diversity and localism--- have been harmed?" The answer is an unequivocal "no," as witnessed by the continuing delivery by broadcasters of high quality local and national news, public affairs, sports and entertainment programming to all Americans for free over the

air.

If you have any questions, please do not hesitate to contact me.

An electronic copy of this letter is being filed for inclusion in the above-referenced docket pursuant to the Commission's ex parte rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Shirey", is centered below the word "Sincerely,". The signature is written in a cursive, flowing style.

cc via email: David Grossman